

# METRO-EAST REGIONAL HUMAN RIGHTS AUTHORITY

## SEPTEMBER 13, 2012 MINUTES

The Chairperson, Emil Wilson, called to order the September 13, 2012 meeting at 7:00 p.m. This meeting was held at Cannady and AuBuchon, Belleville.

### PRESENT

David Bollone, Member  
Emil Wilson, Member  
Thomas Cannady, Chairperson  
Dr. Marguerite Riley, Recording Secretary  
Beverly Sweatman, Member  
Kingston Schmid, Vice-Chairperson

### STAFF PRESENT

Michael J. Pintar, Coordinator

### ABSENT

Margaret Merrell, Member  
Carol Neudecker, Member  
Karen Kelly, Member

### GUESTS

## INTRODUCTIONS

The Chairperson recognized that a quorum was present.

The Coordinator read the confidentiality statement that indicates that personally identifiable information should not be presented in public meetings in order to protect the privacy of those disabled persons on whose behalf the HRA conducts investigations.

The Chairperson asked for changes in the agenda there were no suggested changes

## MINUTES

The members reviewed the stated minutes of the May 10, 2012 HRA meeting and considered them for approval. Members present agreed to approve the minutes based on a motion by Thomas Cannady, seconded by Kingston Schmid.

COMMUNICATIONS: There were no new communications

Upon a motion by Thomas Cannady, seconded by Dave Bollone, members agreed to enter closed session at 7:11 p.m. to discuss case 12-070-9021 with the guests present. Upon a motion by Emil Wilson, seconded by Dave Bollone the Authority returned to open session at 7:51. The visitors departed from the meeting following discussions.

## NEW BUSINESS:

12-070-9032 - a consumer alleges she is denied visitation; the facility will not allow her to possess personal cosmetics and staff don't allow attorney's phone calls. She is allergic to pork and the facility continues to offer her pork and her Social Worker refused to meet with

her on a regular basis. Upon a motion by Kingston Schmid, seconded by Thomas Cannady, members agreed to not accept the complaint for investigation.

12-070-9034 - staff will not allow him computer access and he wants to attend college. The team directed him to apply for a college before they would consider allowing him to use the computer. Because he did not have computer access, his brother in the community had to pretend that he was the consumer in order to apply. The consumer has been accepted into the program, now the facility tells him he has to wait six months. Upon a motion by Thomas Cannady, seconded by Kingston Schmid, members voted for case opening. Alton Mental Health Center

12-070-9035 - a consumer is mistreated by agency staff who will not allow her to live a normal life when staff purposely challenge consumers rather than offering a treatment style of approach when working with persons with disabilities. Upon a motion by Thomas Cannady, seconded by Dave Bollone, members voted to table case opening.

12-070-9036 - a consumer receives services and lives in an agency owned apartment. Her treatment team, including staff and Physician do not meet with her to offer a discharge plan. She has made it clear she would like to move to her home, which is out-of-state. The Physician does not want to release her to leave facility who acts as her payee. Agency staff are punishing her because she had a friend in her apartment and she likes to have an occasional drink. She goes to gambling counseling and she has not been in any trouble but the agency will not cooperate with her plan to return home and she feels as though she is being held hostage. Upon a motion by Kingston Schmid, seconded by Emil Wilson, members voted to table case opening.

12-070-9037 - In February 2012, the media announced that Gov Quinn had decided to close a state operated facility to move residents into community group homes. This was a budget decision, not based on the needs of residents. A letter from the agency Director dated February 24, 2012 indicates that the family will be contacted by Department of Human Services and still the residents and/or families have not received additional correspondence. No one has followed through on this promise or provided additional information. The HRA had a discussion, trying to determine the best way to proceed. Upon a motion by Dave Bollone, seconded by Thomas Cannady, members voted to table case opening.

13-070-9001 - a consumer was allowed to have internet access for education and restriction of rights was issued by the Center, stating that he visited websites that are not allowed by the Center. The consumer insists he has not visited any prohibited sites. He lost credit for five classes because he had to take incomplete. This affected his deferments from paying student loans. Upon a motion by Thomas Cannady, seconded by Dave Bollone, members agreed to investigate this allegation.

13-070-9003 - a consumer has lost his opportunity to live in the least restrictive setting after a placement agency had him admitted to a 16 bed ICF/DD. The consumer is very high functioning compared to other residents who have many more issues and cannot relate or even interact with the consumer. As a result of the placement, the consumer has lost an opportunity to live in a CILA. The HRA Coordinator found out that the placement agency was from out of region. Upon a motion by Kingston Schmid, seconded by Thomas Cannady, members voted not to investigate the allegation and forward the complaint to the appropriate region.

13-070-9004 - it is alleged that a consumer is not allowed to enjoy private consultation with her Physician or the opportunity to manage her medication. Upon a motion by Emil Wilson, seconded by Kingston Schmid, members agreed to case opening.

13-070-9005- a facility does not provide appropriate dental services. . Upon a motion by Emil Wilson, seconded by Kingston Schmid, members agreed to case opening

13-070-9006 - an agency enters a facility, interviews random residents and reviews their records. Agency staff told a guardian that the agency does not need guardian approval to interview residents. Upon a motion by Kingston Schmid, seconded by David Bollone, members agreed to investigate the allegation.

## UNFINISHED BUSINESS

Pursuant to Section 721 of the Illinois Guardianship and Advocacy Act and Section 42 of the Open Meetings Act, upon a motion by Kingston Schmid, seconded by Thomas Cannady, the Authority went into closed session at 8:50 p.m. to discuss case progress and reports of findings.

### Case Progress Reports:

#### V. UNFINISHED BUSINESS

##### A. Case progress reports

12-070-9016 - Madison County Housing - a consumer was evicted & return property

12-070-9022 - Wellsprings - discrimination

12-070-9034 - Alton Mental Health Center - continuing education/computers

13-070-9001 - Alton Mental Health Center - cancelled computer

13-070-9002 - Alton Mental Health Center - rights on the unit

##### B. Reports of Findings:

12-070-9023 & 12-070-9024 - Warren G. Murray - facility won't allow DNR & treatment team/adhere to guardian

12-070-9026 - Alton Mental Health Center - phones

12-070-9030 - Alton Mental Health Center - privileges

##### C. Case Closures:

12-070-9005 - Alton Mental Health Center - guardian access

12-070-9010 - Alton Mental Health Center - medical treatment & not allowed to rest

12-070-9011 - Alton Mental Health Center - psychotropic medication

12-070-9013 - Alton Mental Health Center - accounting

12-070-9018 - Alton Mental Health Center - forced a blood test

12-070-9028 - Alton Mental Health Center - privileges

Upon a motion by Emil Wilson, seconded by Kingston Schmid, members voted to close the above cases.

The HRA returned to open session at 8:15 p.m. upon a motion by Dr. Marguerite Riley, seconded by Beverly Sweatman.

Upon returning to open session:

B. Reports of findings:

12-070-9023 & 12-070-9024 - Warren G. Murray - Upon a motion by Kingston Schmid, seconded by Emil Wilson members agree with report approval pending administrative endorsement.

12-070-9026 -Alton Mental Health Center - phones - Upon a motion by Kingston Schmid, seconded by Dr. Marguerite Riley, members voted to approve the report.

12-070-9030 - Alton Mental Health Center - Upon a motion by Beverly Sweatman, seconded by Dave Bollone members voted for report acceptance pending administrative approval.

C. Case Closures:

Upon a motion by Kingston Schmid, seconded by Emil Wilson, member voted for case closure for all the above listed cases.

ANNOUNCEMENTS AND COMMENTS:

The next meeting will be October 11, 2012 at Thomas Cannady's Law Office 1931 West Main Street, Belleville

ADJOURNMENT

The meeting was adjourned at 9:20 p.m.

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Dr. Marguerite Riley, Recording Secretary